



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

APPLICATION NO./ CONTROL NO.09/646043	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
--	-------------	---	---------------------



EXAMINER

Khatol Shahnan-Shah

ART UNIT	PAPER
----------	-------

1645

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

The communication filed March 16, 2001 is not fully responsive to the Office communication mailed February 16, 2001- for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules or CRF Diskette Problem Report. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

Since the reply appears to be bona fide attempt to comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825), applicant is given a TIME PERIOD of **ONE (1) MONTH** from the mailing date of this communication within which to correct the deficiency so as to comply with the sequence rules (37 CFR 1.821 - 1.825) in order to avoid abandonment of the application under 37 CFR 1.821(g). EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication should be directed to Examiner Khatol Shahnan-Shah, Art Unit 1645, whose telephone number is (703) 308-8896.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

Khatol Shahnan-Shah, BS., Pharm, MS.
Biotechnology Patent Examiner
Art Unit 1645
April 11, 2001

RODNEY P. SWARTZ, PH.D.
PRIMARY EXAMINER



Application No. 09/646043

Examiner: Khatol Shahnan-Shah Art Unit 1645

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CAR §1.821 - §1.825 for the following reasons(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 CAR §1.821 - §1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990, and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CAR §1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CAR §1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CAR §1.822 and/or §1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing".
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CAR §1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CAR §1.821(e).
- ☐ 7. Other: _____

APPLICANT MUST PROVIDE:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as were as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CAR §1.821(e) or §1.821(f) or §1.821(g) or §1.825(b) or §1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CONTACT:

For Rules Interpretation, call (703) 308-4216
For CRF Submission help, call (703)308-4212
For Patentin Software help, call (703) 557-0400
Technical Assistance ,call (703) 287-0200

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE.

K. Shorhan Shah



1645

RAW SEQUENCE LISTING
PATENT APPLICATION: US/09/646,043

DATE: 03/29/2001
TIME: 15:59:24

Input Set : A:\0933-0162P.ST25.txt
Output Set: N:\CRF3\03292001\I646043.raw

Does Not Comply
Corrected Diskette Needed

3 <110> APPLICANT: HAKALEHTO, Eino
5 <120> TITLE OF INVENTION: METHOD FOR DETECTING MICROBES FROM AN ENRICHMENT CULTURE
7 <130> FILE REFERENCE: 0933-0162P
9 <140> CURRENT APPLICATION NUMBER: 09/646,043
10 <141> CURRENT FILING DATE: 2000-10-25
12 <160> NUMBER OF SEQ ID NOS: 1
14 <170> SOFTWARE: PatentIn version 3.0
16 <210> SEQ ID NO: 1
17 <211> LENGTH: 18
18 <212> TYPE: PRT
19 <213> ORGANISM: Artificial
21 <220> FEATURE:
22 <223> OTHER INFORMATION: Synthetic Peptide sequence derived from Salmonella typhimurium
24 <400> SEQUENCE: 1
26 Ala Ser Phe Thr Ala Ile Gly Asp Thr Thr Ala Gln Val Pro Phe Ser
27 1 5 10 15
29 Ile Val

Artificial Sequence is the only valid response, per 1.823

of
new
Sequence
rules

VERIFICATION SUMMARY

PATENT APPLICATION: US/09/646,043

DATE: 03/29/2001

TIME: 15:59:25

Input Set : A:\0933-0162P.ST25.txt

Output Set: N:\CRF3\03292001\I646043.raw

Shahmanshah

O I P E J C 177
MAY 17 2001
TRADE MARK OFFICE

BIOTECHNOLOGY
SYSTEMS
BRANCH

RECEIVED

APR 06 2001

TECH CENTER 1600/2900

#9

RAW SEQUENCE LISTING
ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/646,043

Source: 1645

Date Processed by STIC: 3/29/2001

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE **CHECKER**
VERSION 3.0 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND
TRADEMARK OFFICE WEBSITE. SEE BELOW:

Checker Version 3.0

The Checker Version 3.0 application is a state-of-the-art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 - 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25.

Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2K-compliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO).

Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

Checker Version 3.0 can be down loaded from the USPTO website at the following address:

<http://www.uspto.gov/web/offices/pac/checker>